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International Court of Justice

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OFFICIAL TRANSCRIPT OF TESTIMONY ON DEFENSE ORGANIZATIONS TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL, PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH, 1946; MONDAY 20 MAY 1946

THE COMMISSIONERS:

Captain Tubridy
Mr. Rasumov

THE S S

(The Commission convened at 1430 hours)

DR. NORBERT POHL, A WITNESS, took the stand and after being duly sworn testified as follows:

DIRECT EXAMINATION

BY DR. PELCKMANN:

Q. What is your profession and how and when did you come to the S S, very briefly?

A I am an attorney by profession. I came to the S S in 1933, to the General S S. I was at that time a Referandar as a young officer in a Court of Appeals in Silesia.

One day in May or June, 1933, my superior asked me whether I was in the party. I said "no", and he said that it would be expedient for me to join one of the organizations.

COLONEL BROOKHART: I object to this because it is evidence of an individual case.

CAPTAIN TUBRIDY: I will sustain the objection unless defense counsel can give a reason.

DR. PELCKMAN: I don't want to question the witness about his case but about his capabilities, as to how long he was in the party. Let me ask him when he joined the party.

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BY DR. PELCKMANN:

Q When did you join the party?

A On the 1st of May, 1937.

Q What activities did you have in the S. S. after you joined the S. S. in 1933?

A I was a simple S. S. man and I became S. S. Scharfuehrer in 1939

Q Then you became a member of the Waffen S S? Why was that?

A In October, 1939, after the beginning of the war I was ordered to join the Waffen S. S. It may have been later. Before that I had been ordered to take a course also in the Verfuegungstruppe. It was from the Wehrmacht I was drafted to the S. S.

Q The Verfuegungstruppe S. S. was not known at that time.

A When I was a Verfuegungstruppe I was drafted for a course, and we were instructed. There were about twenty or twenty-five of us, and we were instructed that the court-martial was to be established.

Q In what years were you in the court-martial?

A I was drafted as Gruppenfuehrer of the S. S. That is equivalent to a major, corresponding to the Court Martial Consular of the Wehrmacht.

Q How long did you fill that position?

A In fact I filled this position until I was wounded in February, 1943. After I was released from the hospital in 1945 I was temporarily assigned to the Central Office, the Haupt, the main office of the S. S.

Q From your legal activities did you get an over-all view of the construction of the S. S?

A I believe so.

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Q Do you know the picture which the Prosecution presented in the proceedings concerning the S S?

A Yes, it is a picture about this size.

Q Is this chart correct? Will you explain in detail with the aid of the chart in what respect it is not correct?

A The sketch distinguishes between the leading authorities and regional authorities of the S S. The presentation of the head authorities of the S. S. is not correct.

Q Is that the so called twelve main offices of the S S?

A Yes.

Q Will you explain why it is wrong to place these twelve main offices under the supreme command of the S S?

A In this chart the things of entirely different nature are united under Himmler with a number of positions that were not all connected with the S S and did not all derive from the S S. He was Reichfuehrer. He was Chief of the German Police. He was Reich Commissioner for the strengthening of the German Folkdom, the Consolidation of German Nationality. Those three offices are entirely different in my mind.

CAPTAIN TURBIDY: Are you offering this chart in evidence?

DR. PELCKMANN: I was offering it in evidence to support the testimony of this witness.

CAPTAIN TURBIDY: We would like to have it presented to the Prosecution to see if they have any objection and also present it to the witness and let him verify it.

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COLONEL
~~LIEUTENANT~~ BROCKHART: The witness is not answering the question. The question was to show wherein it was incorrect, and this is a long speech about what Himmler did do.

CAPTAIN TURBIDY: We would like to have the defense more specific as to exactly how the chart is erroneous .

COLONEL
~~LIEUTENANT~~ BROCKHART: Yes.

CAPTAIN TURBIDY: Dr. Pelckmann, in asking these questions on these alleged errors in the chart, could you please make your questions more specific as to exactly where the alleged errors are instead of having them so general.

XXXXXXXXXXDR.XPELCKMANN:

BY DR. PELCKMANN:

Q Why is it this heading S S is wrong and the twelve main offices which are under it?

A Because it gives only the main offices of the S S which are incorrect. They are quite different things.

Q Do you mean to say that only part of the offices given there are S S offices and part are purely state offices?

A That is what I mean to say.

Q Will you state which ones were the S S offices and which ones were the State offices?

A I will state which ones were state offices. The main office of the Ordnungspolizei (IZE!) and the main office of the security polizei (IZE!) are purely state offices. The Chief of the German Polizei (IZE!) as an officer of the Reich had nothing to do with the S S The two offices, distinct in themselves, were united in the person of Himmler.

Q Did the subordinate police authorities have anything

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to do with the S S?

A No, One was a purely state organization with a corresponding structure of officers and the other was a party organization in it's origin.

Q What about the Reich Commissioner for the Consolidation of German Nationality?

A As the name says the Reich Commissioner was also a State Commissioner, and the office which he used was also a Reich office. That is the Wassen main office which appears on the chart. S S tasks were not carried out there any more than any other state office.

Q Now that we have eliminated three offices, can you say the other nine of them represented the S S High Command as the chart says?

A No, there was no High Command of the S S. By "High Command" I understand the Consolidation of all the leading Chiefs in authority. That could not exist in the S S since 1933 at least. We have various organizations included in the term S S. They can be understood only from the historical background.

Q It seems to me necessary that you explain about the other three in order to show the distinction between these various offices.

A There are three periods of time to distinguish, up to 1933, up to 1939 or 1940, and later. Up to 1933 there was only one unified S S, before that time, the ~~Fuehrer~~ Fuehrerungsamt, also called the S D had become independent; after 1933 the S D was taken

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completely out of the S S and put under it's own name and office. The so-called S D. Since that time, there has been no connection in organization or tasks between the S D and the S S. The rest of the S S aside from the S D included the General S S Fuehrungshauptant and the Fuehrungshauptamt gradually developed into the S S. Until 1939 they were kept under a unified name and office. That is the S S main office.

Q Were the members of the Fuehrungsamt and Fuehrungshauptamt members of the General S S

A The members of the Fuehrungsamt came only in part from the General S S. They usually became members of the S S In the case of the Fuehrungshauptamt it was a little different. The Totenkopf did not have to do military service but since one was only to be accepted into the General S S after completing military service, the members of the Totenkopf formation became members of the General S S only after years.

Q What was the development after 1939?

A After 1939, after the beginning of the war the Waffen S S developed as a fighting unit and was in the foreground. The tasks of the General S S degenerated more in war and was in a way done away with completely in the course of the war. The S D is still complete. There were three organizations, the Waffen S S, the General S S and the S D.

Q How is this development reflected in the formation of the main offices?

A Before the war there were some main offices. They were Himmler's main offices of the General S S. After the

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beginning of the war these main offices also received the Waffen S S. In ~~xx~~ addition, completely new main offices were created by the Waffen S S. The organization,which is called operational headquarters on the chart, was born in 1940. This is the leading office of the Junkers S S, but this office is not a High Command. The other main offices in their special fields could also give orders to the units independently of each other. The Economic Administration main office had primarily S S tasks. It also took care of the remaining tasks for the General S S and the S S main office, which was formerly the central office, and ~~xx~~ all of the S S aside from the S D, gave more and more of it's competent men to the other main offices and became increasingly lost. It's task was to supplement the Waffen S S and it took care of the General S S until the General S S disappeared into it. This office was also in charge of the training of troops and education. The main office of the S S was the main agency for the courts martial~~x~~ of the Volksdeutsche, but the General S S was not under these courts martial. These men had to appear before the normal public courts. The main office of the S S guard also had charge of the ~~xxxxxxxx~~ disciplinary matters in the General S S and the Waffen S S.

Q Can you give me the name of a witness who can give any details about this?

COLONEL GRIFFITH JONES: We are not interested in the names of witnesses.

CAPTAIN TUBRIDY: Yes. Dr PELCKMANN YOU CAN ARRANGE FOR THE SECURING OF THIS INFORMATION PRIVATELY.

(CONTINUING) ~~WITNESS.~~ There was a general personnel interchange of all leaders of the General S S and the Waffen S S, and as a matter more or less of expediency during the war the personnel

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questions of the Waffen S S leaders had to be taken over by the Fuehrungshauptamt, and there is still the racial and settlement main office. It was formed in 1934. At that time as a main office of the General S S, as the name says, it had a double task. In the first place it had to adapt the selective principle to the family of the S S man.

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Marriage orders had been taken, and this was under the Racial and Settlement Main Office.

The second task was to train, and to take back to the country from the city SS men who were capable of doing agriculture work--- to take from the City to the country SS men who were capable of doing agriculture work. This second task was subordinated during the war, and, the Racial and Settlement Main Office also received tasks for the Waffen SS. It was similar to the office which existed in the Wehrmacht; it was an office which provided such care as was necessary for the criminals, and for the existence of relatives, widows, orphans and men who had fallen in the war. Those were tasks raised by the Racial and Settlement Main Office. These offices were the SS Main Office, the Economic Administration, the Racial and Settlement Main Office; the Leadership Operational Main Office, the Personnel Main Office, and the Main Office of the SS Corps, with the actual and leading office of the SS.

Q What about the High Command?

A I have already stated that the Main Offices in their fields were independent of each other, and could give orders independently to the units.

Q Have you omitted to explain what more was in the Main Offices, which were included in the charges of the prosecution?

A This is the Main Offices of Repatriation of Racial Germans, the offices of the SS Gruppenfuehrer Heissmeyer, and the Personnel Staff of the Reichsfuehrer SS.

Q To what were these offices subordinate in the SS?

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A These are unique organizations, which Himmler established for his own tasks, but not in his capacity as Reichsfuehrer of the SS, because they were not concerned with the actual problems of the management of the SS. Unlike the other offices mentioned, these Main Offices could not give orders directly to the units, because they did not deal with purely SS matters.

The Personnel Staff of the Reichsfuehrer SS included agency offices, and personalities in whose work Himmler was personally interested. The Main Office, Repatriation of Racial Germans, I did not get to know in my official capacity, as to the tasks in the General SS and the Waffen SS, but I do know that it dealt with tasks of racial Germans abroad. That was the task of Himmler, but in the capacity as Reichsfuehrer SS, and to fulfill this task, he employed this office..

Q How does it happen that this office is called the Haupt Main Office, although it did not have tasks similar to the other Main Offices?

A That does not connect with the person at the head of this agency, that was SS Gruppenfuehrer Lorenz. He was to become a chief of the Main Office, because he was a SS leader of long service. That is how it happened that this office was placed under the SS, although it actually had nothing to do with the SS tasks. It is similar with the Heissmeyer Agency. I do not know even today exactly what this agency did. I only know that Heissmeyer was previously Chief of the SS Main Office, and, I heard that he got this new position only because he was to remain Chief of the SS Main Office. That was the general story circulated in the SS, but I do not know that exactly. As I understand it, the two agencies,

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Repatriation of Racial Germans, and Heissmeyer's Agency should have been placed under the personnel staff, because all kinds of completely independant matters in which Himmler was interested was coordinated in that personnel staff.

Q Is that the third office? You should have mentioned the Main Office Personnel Staff?

A At the beginning I said that the Personnel Staff was one of these three Main Offices, and outlined this task briefly.

Q Coming back to the Personnel Staff the prosecution chart has shown as the Chief of Staff, Is that implied as an organization similar to the High Command, because the charge Chief of Staff is a military one?

A It is true that the term Chief of Staff is a military term in the sense in which it is used, but here in the Personnel Staff there was no Chief of Staff; but as we say, it is staff leader. This is the man who directed the Fuehrer's officers, the non-commissioned officers, and then there can be no question of the power of command. This staff leader never gave orders to the organizations of the General SS and the Waffen SS.

Q On the chart, please look at the "Leadership Main Office." It should have a subdivision command office of the General SS. Does not that contradict what you said before that the Fuehrer Hauptamt of the operational Main Office wing had tasks of the Waffen SS?

A No. I have said already that the operational Main Office was founded in 1940, and at that time the influence of the General SS was without. The command offices of the General SS, which was provided for here, appeared very little, and was apparently a plan for the future of the post war time.

Q Before this you have mentioned that first the police, and, se-

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condly, the SD were independant, and were separate from the SS. ~~Thxxxhx~~ The chart of the prosecution presents the SD as part of the Reichs Security Main Office, but the Reichs Security Main Office is a police agency. Will you qualify that.

A The question contains two errors. In the first place, I did not say that the SD, like the police, was taken out of the SS. I say only that the SD developed into a completely independant organization from the SS. The police on the other hand never had anything to do with the SS. That is one error. The second error is that the Reichs Security Main Office was outlined as a police agency. This structure is very complicated. Two main offices which had previously been separate come together again. The Main Office Security Police secured the police office and the SD Main Office of which I have already spoken.; the latter is a party of the SD Main Office. These two offices were coordinated with the presence of Heydrich as the head of the Security Police at that time - the Chief of Security Police, and the SD, that was his title. The term "Reichs Security Main Office" is misleading, because one could suppose that this meant purely a police agency. They coordinated, the police force and the SD, which was a Party organization.

Q What did the SD, and what did the Security Police have to do with the General SS or the Waffen SS?

A I should like to say, first, as was meant by the General SS and the Waffen SS, we could not think very much of it in view of these matters. As a force I can understand the SD included two quite different things. First, as an information unit of the Party, and then something entirely different, namely, the coordination of the personnel of the Security

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Police, and the SD in a sense in the SS.

NEL:
COLONEL BROOKHART: I have heard nothing to qualify this witness to speak of the SS and the SD. May we have his competency established.

CAPTAIN TUBRIDY: I believe he has been qualified to speak generally of the SD as being part of the SS. ~~Do you want~~ Would you like to have him qualified concerning the Gestapo?

COLONEL BROOKHART: My objection is whether he is a member of the SD, and therefore, knows what he is talking about. What basis does he have in speaking about the SDD, other than general.

DR. PELKMANN: The witness is giving a general picture as to the structure of the SS, and he has to refute the errors in this chart. In his capacity as a judge he has come to know the branches of the SS.

BROOKHART
COLONEL: Let the witness testify.

CAPTAIN TUBRIDY: He can say something about the SD. Dr. Pelkmann should not ask the witness ~~how he knows anything~~ about the Gestapo, ~~but how he is familiar with the working of the organization of the SD; if~~ unless he can state ~~the reason~~ why he is familiar with ~~the operations of~~ that organizations, ~~then we can take that as a basis. Concerning the Gestapo and the SD, if he has shown a basis for his knowledge, he can bring it out and testify to it.~~

THE WITNESS: I did not speak about the Gestapo, and the criminal police. In answer to the defense counsel's question, I explained the relationship between the Security Police and the SD, and, the SD and the General SS and the Waffen SS. What is what I want to explain.

~~CAPTAIN TUBRIDY: I think he is just speaking of it generally.~~

COLONEL BROOKHART: My objection is going to his qualifications to speak of the SS and the SD. He identified himself in the SS

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organization,but we do not know definitely about the SD , and what connection he had ~~xxxxx~~ with the Gestapo. How is he competent to talk on that subject.

DR. PELCKMANN: Just because he is not a member of the SD, he still can tell in what way the SD is distinguished from the SS.

CAPTAIN TUBRIDY: Yes, I think he can testify to that in a general way on the basis of his qualifications ~~which he has given~~, as the SD was part of the SS.

LT. COLONEL BROOKHART: He just testified as to their being independant. What I want to know what is the basis of his knowledge. Was he a member of the SD,and in what way is he qualified to speak of these things? We have had much evidence from the chief of the SD in the Tribunal hearings.

CAPTAIN TUBRIDY: May we wait for cross examination on that.

LT. COLONEL BROOKHART: Yes,but I am going to object to further questioning unless he can show he is competent otherwise.

CAPTAIN TUBRIDY: He has indicated he has been working on the administration section of the SS for a period of years,and he is familiar with the workings of the SS,and that he has just spoken in a general way about the SD. He indicated the SD was a functioning ~~xxxx~~ unit apart from the SS. I don't think it has been gone into any further than that.

BY DR. PELCKMANN:

Q Will you look at the chart,and discuss the so-called "Regional Command Authoritie." Is the chart correct? Is the designation, Higher SS and Police Leaders, as such, as superiors of the SS, correct?

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A No, that is not correct. The chart is quite in error here. Higher SS and Police Leaders is the title that was given to the highest leaders of the SS, the leaders of the SS chief section. The head of the chief section was the superior of the General SS, but not in his capacity of Higher SS and Police Leader. For that reason the Higher SS and the Police Leader had no authority to give orders to the General SS. That was a mistake. The Higher SS and the Police Leader, and the leader of the Chief Section were two offices united in a same person. The Higher SS and the Police Leaders could not give orders to the Waffen SS Leader, but the chart does not show that. The Higher SS and the Police Leaders had no authority to give orders to the respective orders of the police and the Security Police. That was the case at least in the old Reich territory. In the occupied areas the Higher SS and the Police Leaders had authority to give orders, but only to the police. There was hardly any General SS in the occupied territories, and the Waffen SS was not subordinated to him, principally.

Q The chart shows that the General SS, and other persons were in charge of the guards at the concentration camps during the war. The Waffen SS Economic and Administration Main Office shows that the concentration camps were assigned to just this main office of the Waffen SS. Which is correct?

A The indication on the chart that persons of the General SS were in charge of the guards at concentration camps is not true in this form. Before the war there were Totenkopfs, deathhead formations, to guard the concentration camps. After the beginning of the war, these units were formed into divisions, and the makeup of the guards were men who had been

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drafted on the basis of an emergency service order; they had to answer this draft call, not only men of the General SS were drafted, but men from various parts of the population.

Q Was this emergency service order a SS law, or a general civilian law?

A It was a Reich law, which effected every German. It was not a matter of the SS. At the beginning of the war there were two basic laws under which the Germans could be drafted, the Military Service Law and the Emergency Service Law. These men were drafted under the Emergency Service Law, and did not serve as members of the General SS, but as persons subject to the emergency service. Later the guard formations were put into military guards nominally called soldiers. That is why these guards were placed under the Economic Administration Main Office of the Waffen SS. I do not know exactly how the concentration camp matters came to the Waffen SS Administration Main Office. The witness Stein knows about that.

Q You said that a distinction had been made there in that a Totenkopf formation always means a guard personnel in concentration camps.

A No, not at all. Until the beginning of the war the term "Totenkopf"formation" was more or less identical with concentration camp guard personnel, but after the division had been formed, this division had nothing more to do with concentration camps; only the division for the training and the replacement groups of the Totenkopf units at the beginning of the war brought a great number of men who had been drafted into the Totenkopf formations on the basis of the Emergency Service Law. Only a small part of them were used to guard the camps. The others were placed either

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in the Totenkopf Division, or in the training and replacement units; or, new Totenkopf regiments were formed out of that. ~~xxxxxx~~ The regiments I believe were numbered to eighteen. These regiments had nothing to do with the guarding of the concentration camps.

Q You said that the SS and the Police had to be sharply differentiated. Can you indicate briefly how names like the Higher SS and the Police Leaders of SS, and Police Divisions of SS, and Police Regiments arose. Can you explain that?

A As I said the Higher SS, and the Police Leaders were titles, and was head of the SS Chief Section who received this title and had involved certain tasks in the police field, originally in the occupied territories. That explains the names Higher SS and Police Leaders. The fields of the SS and the Police remained separate, accordingly.

CAPTAIN TUBRIDY: Dr. Pelkmann, may I ask how much more you have to offer with this witness?

DR. PELKMANN: Just one more question.

THE WITNESS: The SS Police Division was a division which consisted solely of police. Shortly after the beginning of the war it was put into action as a division, but they did not know where it belonged. It was not part of the Wehrmacht, and it was not part of the Waffen SS, so that the Police Division was attached to the Waffen SS. Later it was taken into the Waffen SS without any one being consulted about it.

BY DR. PELKMANN:

Q One more question. According to your statement the General SS, and the Waffen SS developed quite independantly of one another, and they had no contact with the SD. Was there any unified bond, and what was it?

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A The bond between these organizations was the person of Himmler as Reichsfuehrer SS, and then a few basic laws which were in effect for all the different parts; for example, the basic law of sanctity of property, the marriage order, and other orders of this kind. Even the uniforms of these three SS organizations had developed quite differently.

DR. PELCKMANN: That is all, sir.

CAPTAIN TUBRIDY: Let us take a short recess before the cross examination.

(A recess was taken)

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CAPTAIN TUBRIDY: I would like to ask Dr. Pelckmann to pass to the witness the chart you have submitted here.

(Dr. Pelckmann, counsel for defense, ~~defendant for Himmler Staff~~, hands the witness the chart.)

CAPTAIN TUBRIDY: Who made up the chart? Did the witness make it up?

THE WITNESS: I did not make the chart. I saw it and approved it.

CAPTAIN TUBRIDY: Will you show the chart to the witness and ask him if it is his conception of the organization of the SS? It will then be submitted to the Prosecution and we will see if they have any objections. ~~I would like to have a ruling~~ on the chart.

BY DR. PELCKMANN:

Q Witness, will you please look over this chart and tell me if you consider it correct?

A Yes, I know this chart and I state that it is correct. The important thing is that various agencies of Himmler's are placed on an equal level. These are agencies of the state, party and the Wehrmacht.

Q I believe you must make one correction, which we discussed last night. Did you not say that the first agency listed and the Heissmeyer agency were not to be placed under the SS agency and were independent?

A These are not under the SS personnel main office. The impression could arise that the two agencies were immediate SS agencies just like the main office personal staff, but I have already stated the difference between these agencies and the real SS agency proper.

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COLONEL BROOKHART: What is this document to be designated?

CAPTAIN TUBRIDY: If there is no objection it will be admitted as Defendant Organization SS Exhibit No. 1 of this witness.

COLONEL BROOKHART: The capital letters on the bottom of the chart, running across it, namely; Waffen SS - Allgemeine SS - S.D. and Polizei. To what do they pertain?

CAPTAIN TUBRIDY: At this time, do you object to the introduction of the chart?

COLONEL BROOKHART: I would like this information.

CAPTAIN TUBRIDY: In cross examination, Colonel Brookhart, you may examine the witness.

COLONEL BROOKHART: If one matter of correction is explained, I believe it is better to have the other explanation before the chart is admitted as evidence. To what do the letters appearing in capital letters on the bottom of the chart pertain?

CAPTAIN TUBRIDY: (Witness) Will you explain what the meaning of the writing at the foot of these various columns pertains to, they are: Waffen SS, Allgemeine SS, S.D. and Polizei. Why were they placed where they are?

THE WITNESS: The SS included three entirely separate formations. The Waffen SS represented in the first column; the units of the General SS are given in the second column. The third organization - the S.D. is next. These are all completely independent, but they all come under the brackets of the Reich SS at the top. Then we have the German

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Police and that is why the word Police is written at the bottom. That is the explanation.

CROSS EXAMINATION.

BY COLONEL GRIFFITH-JONES:

Q Is the S.D. a separate organization from the SS, or a separate department of the general organization?

A As I have said before, these three gradually developed from what had been a unified organization - the SS, but gradually assumed complete independence. At least that is true of the S.D.

Q I understand that. Would I be right in saying that although they assumed independence, they remained as an independent part of the general same organization, the SS?

A Yes.

Q In the organization's book of the National Socialist Party, they are all treated together under the heading Deutschland SSD. For the record, that is PS 2640 - U.S. 323.

Do you know that the same applies to a book by Guenter D'Alquen, entitled the SS History Mission and Organization, published in 1944. Was that an official history of the SS?

A I don't know the book. I do not believe it was an official document, as it was never received through official channels.

Q Do you know Guenter D'Alquen?

A Yes, I know him.

Q Did he have sufficient knowledge to write a history of the SS?

A I know D'Alquen personally only from a visit which he paid to the

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organization - the division in the field. I don't know what his knowledge of the SS was, but I do know one figure which appears which is not correct.

Q I don't want to go into a detailed statment of the possible errors in the book. I want to ask you, do you know if that book was written on the instructions of Himmler himself?

A No.

Q Do you know of a statement entitled "The National Political Cross for the Armed Forces" written by Himmler himself and published in 1937 in which the S.D. is treated as a part of the SS?

A I don't know that book, but I consider it possible.

Q For the record, the book by Guenther D'Alquen is PS 2284 - US 438 and the book paragraphed by Himmler is Document 1992-A, US 439.

It is a fact, is it not that the S.D. and SS worked in the closest cooperation with one another?

A The question cannot be answered without considering the general structure of the SS; the Waffen SS, the Allgemeine SS and S.D.

Q Do you know of the Einsatzkommando?

A Yes.

Q Did you know of the tasks they were carrying out?

A Yes.

Q Particularly in the occupied territory of Europe?

A Yes.

Q In a report of the action group of the Einsatzkommando, dated January 31, 1942 - L 180 - US 276 at Page 14 of the English Translation, there are set out the personnel who have been taking part in the operations

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of that Commando up to the 15th of August, 1941. This is included in the total structure, the Waffen SS, 340; the Security Service SD 35; State Police Gestapo 89 and Criminal Police 41. Do you still say that the S.D. and S.S. and the Waffen SS were not working in close cooperation?

A Yes. I know that the Waffen SS, the SD, the Criminal Police and the Gestapo are included in this, but nevertheless what I say is true. The Einsatzkommando were Einsatzkommandos of the Security Police of the S.D. and infinitely small units of the Waffen SS were assigned to them by Himmler's orders. Four Einsatzkommandos appeared here, but the number of Waffen SS assigned, I do not know, however, the detail was very slight. This was an activity which had nothing to do with the general task of the Waffen SS. We ourselves did not know that members of the Waffen SS were participating in the Einsatzkommando.

Q Very well, that was in 1941.

Do you remember the demonstrations against the Jews in November of 1938?

A Yes.

Q Let me read to you a few lines of Heydrich's order of November 10, 1938. It is PS 3051, U.S. 240, Page 2 of the English translation and has reference to measures against the Jews that were going to be undertaken that night. The order is addressed: To allHeadquarters and Stations of the State Police and to all Districts and Sub-districts of the SD. Paragraph four of this document reads as follows:

"The direction of the measures of the Security Police concerning the demonstrations against Jews is vested with the organs of the State Police, inasmuch as the inspectors of the Security Police are not issuing their own orders. In order to carry out the measures of the Security Police, officials of the Criminal

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Police as well as members of the SD of the "Verfuegungstruppe" and the allgemeinen SS may be used."

Do you realize that that was not an order concerning a few men? It was an order concerning the whole of the Verfuegungstruppe, the Allgemeinen SS and the S.D. throughout the length and breath of Germany on the night of November 10, 1938. Do you realize that?

A Yes.

Q Do you still say that the SS and the S.D. were not working in the closest cooperation?

A Yes, and for this reason. This order was purely through a venture of the Superior Police and would explain the connection of the Verfuegungstruppe, the Allgemeinen SS and the S.D. playing a roll here. This must, in my opinion, be based on an expressed order from Himmler. Heydrich had no opportunity to press the Verfuegungstruppe or the General SS into this service - there must have been a direct order from Himmler.

Q That is all.

BY COLONEL SMIRNOV:

Q The witness served in the main office of the SS?

A I was personally a subordinate in the main office of the SS Court. I received instructions from the divisional commander.

Q Will you tell of the competency of the SS Courts?

A The SS Courts were competent for all members of the Waffen SS, they were also competent for all police members and special service as the law states. The General SS on the other hand was not under the Court Marshall. It was purely Court Marshall's as it exists in the Wehrmacht. The same laws were in effect as in the Wehrmacht.

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Q There were eighteen courts. Now tell methe functions of these courts.

A Yes. There were a little more than eighteen courts.

Q Mention is made of the eighteen administrations of these courts.

A I don't know what is meant.

Q Do you know that during the war the jurisdiction of the SS Courts was extended to all organizations, to the Police Officers and even to the Hitler Youths?

A It is true that the jurisdiction was extended, decrees that from a certain time on placed the whole police in action. I don't remember what the time was. I consider it impossible that the Hitler Youth was under the SS Courts. It is possible that Hitler Youths employed as auxiliary police might be under the jurisdiction of the SS. That would be possible, but I don't know that.

Q If a member of the S.D. committed one offense, he was also under the jurisdiction of the SS and Police Court.

A Yes.

Q Generaly speaking of the S.D., you said its second task was to co-ordinate in the sense of the SS. What did you mean bythat?

A I did not say it was a second task of the S.D., but a second meaning for the term S.D. TheS.D. includes members of the SS, the Criminal Police and the Gestapo and I spoke of the S.D. as an information section. As in the order of policy, the men who belonged to the SS, the members of the Security Police, the S.D. and the Gestapo were co ordinated in the S.D. office.

Q Did the S.D. have a special insignia?

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A All members of the Criminal Police, the Gestapo and S.D. information organization wore the insignia of the S.D.

Q This emphasized the fact that the S.D. included the members of the three organizations, the Criminal Police, the Gestapo and the S.D., inasmuch as they all wore thesame insignia.

A No, not all members of the Criminal Police and Gestapo wore the insignia, only the SS members from this territory.

Q This organization of the Reichsfuehrer SS had a relative character?

A It is hard to distinguish between these organization, but there is a distinction between them as I said before.

Q Do you know the composition of the special commanders for the individual branches. What persons made up these special commands, the Sonderkommando?

A I don't know what the term Sonderkammondo means.

Q Special details were set up for the destruction of people at indidivual places and towns.

A This is the first time I have heard it and I don't know what it means.

Q No more questions.

BY LT. COLONEL BROOKHART:

Q Were you ever a member of the S.D.?

A No.

REDIRECT EXAMINATION

BY DR. PELCKMANN:

Q What would you call Guenther D'Alque, a propagandist, a historian or a statistican?

A His task was that of a propagandist. I cannot imagine he had the stuff

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in him to be a historian.

Q What about a statistician?

A I said that I did not know him well enough to judge his knowledge. I don't believe that was ever his task.

Q Was he employed by Himmler to spread ideas for the S.D.?

A I cannot say - I don't know.

Q That is all.

(The witness concluded his testimony and was excused.)

(The Commission adjourned at 1700 hours, until 21 May, 1946.)

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The foregoing is a true and correct transcript of the testimony of DR. NORBERT POHL, taken on 20 May 1946

Rose W. Cook
Reporter (pp.1 - 8)

Charles J. Gallagher
Reporter (pp. 9-18)

Alice Meehan
Reporter (pp. 19-27)

CERTIFIED TO:

Joseph F. Tubridy
Commissioner

J. Rasmon B.
Commissioner

H0910-0030

OFFICIAL TRANSCRIPT OF TESTIMONY ON DEFENSE ORGANIZATIONS TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL, PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH, 1946; MONDAY 20 MAY 1946.

THE COMMISSIONERS:

Captain Tubridy
Mr. Rasumov

THE SS

(The Commission convened at 1430 hours)

DR. NORBERT POHL, A WITNESS, took the stand and after being duly sworn, testified as follows:

DIRECT EXAMINATION

BY DR. PELCKMANN:

Q. What is your profession and how and when did you come to the S S, very briefly?

A. I am an attorney by profession. I came to the SS in 1933, to the General SS. I was at that time a Referandar as a young officer in a Court of Appeals in Silesia.

One day in May or June, 1933, my superior asked me whether I was in the party. I said "no", and he said that it would be expedient for me to join one of the organizations.

COLONEL BROOKHART: I object to this because it is evidence of a individual case.

CAPTAIN TUBRIDY: I will sustain the objection unless defense counsel can give a reason.

MR. PELCKMAN: I don't want to question the witness about his c but about his capabilities, as to how long he was in the party. Let me ask when he joined the party.

BY DR. PELCKMANN:

Q. When did you join the party?

A. On the 1st of May, 1937.

Q. What activities did you have in the S.S. after you joined the S.S. in 1933?

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A. I was a simple S.S. man and I became S.S. Scharhuehrer in 1939.

Q. Then you became a member of the Waffen S.S? Why was that?

A. In October, 1939, after the beginning of the war I was ordered to join the Waffen S.S. It may have been later. Before that I had been ordered to take a course also in the Verfuegungstruppe. It was from the Wehrmacht I was drafted to the S.S.

Q. The Verfuegungstruppe S.S. was not known at that time.

A. When I was a Verfuegungstruppe I was drafted for a course and we were instructed. There were about twenty or twenty-five of us, and we were instructed that the court-martial was to be established.

Q. In what years were you in the court-martial?

A. I was drafted as Gruppenfuehrer of the S.S. That is equivalent to a major, corresponding to the Court Martial Consular of the Wehrmacht.

Q. How long did you fill that position?

A. In fact I filled this position until I was wounded in February, 1943. After I was released from the hospital in 1945 I was temporarily assigned to the Central Office, the Haupt, the main office of the S.S.

Q. From your legal activities did you get an over-all view of the construction of the S.S.?

A. I believe so.

Q. Do you know the picture which the Prosecution presented in the proceedings concerning the S.S?

A. Yes, it is a picture about this size.

Q. Is this chart correct? Will you explain in detail with the aid of the chart in what respect it is not correct?

A. The sketch distinguishes between the leading authorities and regional authorities of the S.S. The presentation of the head authorities of the S.S. is not correct.

Q. Is that the so called twelve main offices of the S.S?

A. Yes.

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Q. Will you explain why it is wrong to place these twelve main offices under the supreme command of the S.S?

A. In this chart the things of entirely different nature are united under Himmler with a number of positions that were not all connected with the S S and did not all derive from the S.S. He was Reichfuehrer. He was Chief of the German Police. He was Reich Commissioner for the strengthening of the German Folkdom, the Consolidation of German Nationality. Those three officers are entirely different in my mind.

CAPTAIN TUBRIDY: Are you offering this chart in evidence?

DR. PELCKMANN: I was offering in in evidence to support the testimony of this witness.

CAPTAIN TUBRIDY: We would like to have it presented to the Prosecution to see if they have any objection and also present it to the witness and let him verify it.

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COLONEL BROOKHART: The witness is not answering the question. The quest was to show wherein it was incorrect, and this is a long speech about what H did do.

CAPTAIN TURBIDY: We would like to have the defense more specific as to exactly how the chart is erroneous.

COLONEL BROOKHART: Yes.

CAPTAIN TURBIDY: Dr. Pelckmann, in asking these questions on these all ed errors in the chart, could you please make your questions more specific a exactly where the alleged errors instead of having them so general.

BY. DR. PELCKMANN:

Q Why is it this heading SS is wrong and the Twelve main offices which are under it?

A Because it gives only the main offices of the SS which are incorrect They are quite different things.

Q Do you mean that only part of the offices given there are SS offices part are purely state offices?

A That is what I mean to say.

Q Will you state which ones were the SS ofices and which ones were th State offices?

A I will state which ones were state offices. The main office of the Ordung spolizei and the main office of the security polizie are purely state offices. The Chief of the German Polizei as an officer of the Reich had not ing to do with the SS The two offices, distinct in themselves, were united i the person of Himmler.

Q Did the subordinate police authorities have anything to do with the

A No, One was a purely state organization with a corresponding struct of officers and the other was a party organization in it's origin.

Q What about the Reich Commissioner for the Consolidation of German Nationality?

A As the name says the Reich Commissioner was also a State Commissior and the office which he used was also a Reich office, That is the Hassen ma office which appears on the chart. SS tasks were not carried out there any than any other state office.

Q Now that we have eliminated three offices, can you say the other n

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of them represented the SS High Command as the chart says?

A No, there was no High Command of the SS. By "High Command" I understand the Consolidation of all the leading Chiefs in authority, That could not exist in the SS since 1933 at least. We have various organizations included in the te term SS. They can be understood only from the historical background.

Q It seems to me necessary that you explain about the other three in order to show the distinction between these various offices.

A There are three periods of time to distinguish, up to 1933 or 1940, and later. Up to 1933 there was only one unified SS before that time, the Fuehrer-ungsamt, also called the SD had become independant; after 1933 the SD was taken completely out of the SS and put under it's own name and office. The so-called SD. Since that time, there , has been no connection in organization or tasks between the SD and the SS. The rest of the SS aside from the SD included the General SS Fuehrungshauptant and the Fuehrungshauptamt gradually developed into the SS. Until 1939 they were kept under a unified name and office, That is the SS main office.

Q Were the members of the Fuehrungsamt and Fuehrungshauptamt members of the General SS?

A The members of the Fuehrungsamt came only from the General SS. They usually became members of the SS in the case of the Fuehrungshauptamt it was a little different. The Totenkopt did not have to do military service but since one was only to be accepted into the General SS after completing military service, the members of the Totenkopt formation became members of the General SS only after years.

Q What was the development after 1939?

A After 1939, after the beginning of the war the Waffen SS developed as a fighting unit in the foreground. The tasks of the General SS degenerated more in war and was in a way done away with completely in the course of war. The SD is still complete. There were three organizations, The Waffen SS, the General SS and the SD.

Q How is this development reflected in the formation of the main offices?

A Before the war there were some main offices. They were Himmler's main offices of the General SS. After the

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beginning of the war these main offices also received the Waffen SS. In addition, completely new main offices were created by the Waffen SS. The organization, which is called operational headquarters on the chart, was born in 1940. This is the leading office of the Junkers SS, but this office is not a High Command. The other main offices in their special fields could also give orders to the units independently of each other. The Economic Administration main office had primarily SS tasks. It also took care of the remaining tasks for the General SS and the SS main office, which was formerly the central office, and all of the SS aside from the SD, gave more and more of its competent men to the other main offices and became increasingly lost. Its task was to supplement the Waffen SS and it took care of the General SS until the General SS disappeared into it. This office was also in charge of the training of troops and education. The main office of the SS was the main agency for the courts martial of the Volksdeutsche, but the General SS was not under these courts martial. The men had to appear before the normal public courts. The main office of the SS guard also had charge of the disciplinary matters in the General SS and the Waffen SS.

Q Can you give me the name of a witness who can give any details about this?

COLONEL GRIFFITH JONES: We are not interested in the names of witnesses.

CAPTAIN TUBRIDY: Yes, Dr. Pelkmann you can arrange for the securing of this information privately.

(continuing) There was a general personnel interchange of all leaders of the General SS and the Waffen SS, and as a matter more or less of expediency during the war the personnel questions of the Waffen SS leaders had to be taken over by the Fuehrungshauptamt, and there is still the racial and settlement main office. It was formed in 1934. At that time as a main office of the General SS, as the name says, it had a double task. In the first place it had to adapt the selective principle to the family of the SS man.

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Marriage orders had been taken, and this was under the Racial and Settlement Main Office.

The second task was to train, and to take back to the country from the city SS men who were capable of doing agriculture work -- to take from the City to the country SS men who were capable of doing agricultur work. This second task was subordinated during the war, and, the Racial and Settlement Main Office also received tasks for the Waffen SS. It was similar to the office which existed in the Wehrmacht; it was an office which provided such care as was necessary for the criminals, and for the existence of relatives, widows, orphans and men who had fallen in the war. Those were tasks raised by the Racial and Settlement Main Office. These offices were the SS Main Office, the Economic Administration, the Racial and Settlement Main Office; the Leadership Operational Main Office, the Personnel Main Office, and the Main Office of the SS Corps, with the actual and leading office of the SS.

Q What about the High Command?

A I have already stated that the Main Offices in their fields were independent of each other, and could give orders independently to the units.

Q Have you omitted to explain what more was in the Main Offices, which were included in the charges of the prosecution?

A This is the Main Office of Repatriation of Racial Germans, the offices of the SS Gruppenfuehrer Heissmeyer, and the Personnel Staff of the Reichsfuehrer SS.

Q To what were these offices subordinate in the SS?

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A These are unique organizations, which Himmler established for his own tasks, but not in his capacity as Reichsfuehrer of the SS, because they were not concerned with the actual problem of the management of the SS. Unlike the other offices mentioned, these Main Offices could not give orders directly to the units, because they did not deal with purely SS matters.

The Personnel Staff of the Reichsfuehrer SS included agency offic and personalities in whose work Himmler was personally interested. The Main Office, Repatriation of Racial Germans, I did not get to know in my official capacity, as to the tasks in the General SS and the Waffen SS, but I do know that it dealt with tasks of racial Germans abroad. That was the task of Himmler, but in the capacity as Reichsfuehrer SS, and to fulfill this task, he employed this office.

Q How does it happen that this office is called the Haupt Main Offic although it did not have tasks similar to the other Main Offices?

A That does not connect with the person at the head of this agency, that was SS Gruppenfuehrer Lorenz. He was to become a chief of the Main Office because he was an SS leader of long service. That is how it happened that this office was placed under the SS, although it actually had nothing to do with the SS tasks. It is similar with the Heissmeyer Agency. I do not know even today exac tly what this agency did. I only know that Heissmeyer was previously Chief of the SS Main Office, and, I heard that he this new position only because he was to remain Chief of the SS Main Office. That was the general story circulated in the SS, but I do not know that exactly. As I understand it, the two agencies, Repatriation of Racial Germa and Heissmeyer's Agency should have been placed under the personal staff, because all kinds of completely independent matters in which Himmler was interested was coordinated in that personnel staff.

Q Is that the third office? You should have mentioned the Main Offi Personnel Staff?

A At the beginning I said that the Personnel Staff was one of these three main offices, and outlined this task briefly.

Q Coming back to the Personnel Staff the prosecution chart has shown as the Chief of Staff, is that implied as an organi zation similar to

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the High Command, because the charge Chief of Staff is a military one?

A. It is true that the term Chief of Staff is a military term in the sense in which it is used, but here in the Personnel Staff there was no Chief of Staff; but as we say, it is staff leader. This is the man who directed the Fuehrer's officers, the non-commissioned officers, and then there can be no question of the power of command. This staff leader never gave orders to the organizations of the General SS and the Waffen SS.

Q. On the chart, please look at the "Leadership Main Office." It should have a subdivision command office of the General SS. Does not that contradict what you said before that the Fuehrer Hauptamt of the operational Main Office wing had tasks of the Waffen SS?

A. No. I have said already that the operational Main Office was founded in 1940, and at that time the influence of the General SS was without. The command offices of the General SS, which was provided for here, appeared very little, and was apparently a plan for thefuture of the post war time.

Q. Before this you have mentioned that first the police, and, secondly, the SD were independent, and were separate from the SS. The chart of the prosecution presents the SD as part of the Reichs Security Main Office, but the Reichs Security Main Office is a police agency. Will you qualify that?

A. The question contains two errors. In the first place, I did not say that the SD, like the police, was taken out of the SS. I say only that the SD developed into a completely independent organization from the SS. The police on the other hand never had anything to do with the SS. That is one error. The second error is that the Reichs Security Main Office was outlined as a police agency. This structure is very complicated. Two main offices which had previously been separate come together again. The Main Office Security Police secured the police office and the SD Main office of which I have already spoken; the latter is a party of the SD Main office. These two offices were coordinated with the presence of Heydrich as the head of the Security Police at that time - the Chief of Security Police, and the SD, that was his title. The term "Reichs Security Main Office" is misleading, because one could suppose that this meant purely

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a police agency. They coordinated, the police force and the SD, which was a Party organization.

Q What did the SD, and what did the Security Police have to do with the General SS or the Waffen SS?

A I should like to say, first, as was meant by the General SS and the Waffen SS, we could not think very much of it in view of these matters. As a force I can understand the SD included two quite different things. First, as an information unit of the Party, and then something entirely different, namely, the coordination of the personnel of the Security

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Police, and the SD in a sense in the SS.

COLONEL BROOKHART: I have heard nothing to qualify this qitness to speak of the SS and the SD. May we have his competency established.

CAPTAIN TUBRIDYL I believe he has been qualified to speak generally fo the SD as being part of the SS. Would you like to have him qualified concerning the Gestapo?

COLONEL BROOKHART: My objection is whether he is a member of the SD, and therefore, knows what he is talking about. What basis does he have in speaking about the SDD, other than general.

DR. PELCKMANN: The witness is giving a general picture as to the structure of the SS, and he has to refute the errors in this chart. In his capacity as a judge he has come to know the branches of the SS.

COLONEL BROOKHART: Let the witness testify.

CAPTAIN TUBRIDY; He can say something about the SD. Dr. Pelckmann should not ask the witness about the Gestapo unless he can state why he is familiar with that organization.

THE WITNESS: I did not speak about the Gestapo, and the criminal police. In answer to the defense counsel's question, I explained the relationship between the Security Police and the SD, and, the SD and the General SS and the Waffen SS. That is what I want to explain.

COLONEL BROOKHART: My objection is going to his qualifications to speak of the SS and the SD. He identified himself in the SS organization, but we do not know definitely about the SD, and what connection he had with the Gestapo. How is he competent to talk on that subject.

DR. PELCKMANN: Just because he is not a member of the SD, he still can tell in what way the SD is distinguished from the SS.

CAPTAIN TUBRIDY: Yes, I think he can testify to that in a general way on the basis of his qualifications, as the SD was part of the SS.

LT. COLONEL BROOKHART: He just testified as to their being independant. What I want to know what is the basis of his knowledge. Was he a member of the SD, and in what way is he qualified to speak of these things? We have had much evidence from the chief of the SD in the Tribunal hearings.

CAPTAIN TUBRIDY: May we wait for cross examination on that.

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LT.COLONEL BROOKHART: Yes, but I am going to object to further questioning unless he can show he is competent otherwise.

CAPTAIN TUBRIDY: He has indicated he has been working on the administration section of the SS for a period of years, and he is familiar with the workings of the SS, and that he has just spoken in a general way about the SD. He indicated the SD was a functioning unit apart from the SS. I don't think it has been gone any further than that.

BY DR. BECKMANN:

Q Will you look at the chart, and discuss the so-called "Regional Command Authorities." Is the chart correct? Is the designation, Higher SS and Police Leaders, as such, as superiors of the SS, correct?

A No, that is not correct. The chart is quite in error here. Higher SS and Police Leaders is the title that was given to the highest leaders of the SS, the leaders of the SS chief section. The head of the chief section was the superior of the General SS, but not in his capacity of Higher SS and Police Leader. For that reason the Higher SS and the Police Leader had no authority to give orders t the General SS. That was a mistake. The Higher SS and the Police Leader, and the leader of the Chief Section were two offices united in a same person. The Higher SS a d the Police Leaders could not give orders to the Waffen SS leader, but the chartdoes not show that. The Higher SS and the Police Leaders had no authority to give orders to the respective orders of the police and the security police. That was the case at least in the old Reich territory. In the occupied areas the Higher SS and the Police Leaders had authority to give orders, but only to the police. There was hardly any General SS in the occupied territories, and the Waffen SS was not subordinated to him, principally.

Q The chart shows that the General SS, and other persons were in charge of the guards of the concentration camps during the war. The Waffen SS Economic and administrative Main Office shows that the concentration camps were assigned to just this main office of the Waffen SS. Which is correct?

A The indication on the chart that persons of the General SS were in charge of the guards at concentration camps is not true in this form. Before the war there were Totenkopfs, deathhod formations. to guard the concentration camps. After the beginning of the war, these units were formed into divisions and the makeup of the guards were men who had been

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drafted on the basis of an emergency service order; they had to answer this draft call, not only men of the General SS were drafted, but men from various parts of the population.

Q. Was this emergency service order a SS law, or a general civilian law?

A. It was a Reich law, which affected every German. It was not a matter of the SS. At the beginning of the war there were two basic laws under which the Germans could be drafted, the Military Service Law and the Emergency Service Law. These men were drafted under the Emergency Service Law, and did not serve as members of the General SS, but as persons subject to the emergency service. Later the guard formations were put into military guards nominally called soldiers. That is why these guards were placed under the Economic Administration Main Office of the Waffen SS. I do not know exactly how the concentration camp matters came to the Waffen SS Administration Main Office. The witness Stein knows about that.

Q. You said that a distinction had been made there in that a Totenkopf formation always means a guard personnel in concentration camps.

A. No, not at all. Until the beginning of the war the term "Totenkopf formation" was more or less identical with concentration camp guard personnel, but after the division had been formed, this division had nothing more to do with concentration camps; only the division for the training and the replacement groups of the Totenkopf units at the beginning of the war brought a number of men who had been drafted into the Totenkopf formations on the basis of the Emergency Service Law. Only a small part of them were used to guard the camps. The others were placed either in the Totenkopf Division, or in the training and replacement units; or, new Totenkopf regiments were formed out of that. The regiments I believe were numbered to eighteen. Those regiments had nothing to do with the guarding of concentration camps.

Q. You said that the SS and the Police had to be sharply differented. Can you indicate briefly how names like the Higher SS and the Police Leader of SS, and Police Divisions of SS, and Police Regiments arose. Can you explain that?

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A. As I said the Higher SS, and the Police Leaders were titles, and was head of the SS Chief Section who received this title and had involved certain tasks in the police field, originally in the occupied territories. That explains the names Higher SS and Police Leaders. The fields of the SS and the Police remained separate, accordingly.

CAPTAIN TUBRIDY: Dr. Pelckmann, may I ask how much more you have to offer with this witness?

DR. PELCKMANN: Just one more question.

THE WITNESS: The SS Police Division was a division which consisted solely of police. Shortly after the beginning of the war it was put into action as a division, but they did not know where it belonged. It was not part of the Wehrmacht, and it was not part of the Waffen SS, so that the Police Division was attached to the Waffen SS. Later it was taken into the Waffen SS without any one being consulted about it.

BY DR. PELCKMANN:

Q. One more question. According to your statement the General SS, and the Waffen SS developed quite independantly of one another, and they had no contact with the SD. Was there any unified bond, and what was it?

A. The bond between these organizations was the person of Himmler as Reichsfuehrer SS, and then a few basic laws which were in effect for all the different parts; for example, the basic law of santity of property, the marriage order, and other orders of this kind. Even the uniforms of these three SS organizations had developed quite differently.

DR. PELCKMANN: That is all, sir.

CAPTAIN TUBRIDY: Let us take a short recess before the cross examination.

(A recess was taken)

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CAPTAIN TUBRIDY: I would like to ask Dr. Pelekmann to pass to the witness the chart you have submitted here.

(Dr. Pelekmann, counsel for defense, hands the witness the chart.)

CAPTAIN TUBRIDY: Who made up the chart? Did the witness make it up?

THE WITNESS: I did not make the chart. I saw it and approved it.

CAPTAIN TUBRIDY: Will you show the chart to the witness and ask him if it is his conception of the organization of the SS? It will then be submitted to the Prosecution and we will see if they have any objections.

BY DR. PELEKMANN:

Q Witness, will you please look over this chart and tell me if you consider it correct?

A Yes, I know this chart and I state that it is correct. The important thing is that various agencies of Himmler's are placed on an equal level. The are agencies of the State, party and the Wehrmacht.

Q I believe you must make one correction, which we discussed last night Did you knot say that the first agency listed and the Heissmeyer agency were no to be placed under the SS agency and were independent?

A These are not under the SS personnel main office. The impression could arise that the two agencies were immediate SS agencies just like the main office personal staff, but I have already stated the difference between these agencies and the real SS agency proper.

COLONEL BROOKHART: What is this document to be designated?

CAPTAIN TUBRIDY: If there is no objection it will be admitted as Defendant Organization SS Exhibit No. 1 of this witness.

COLONEL BROOKHART: The capital letters on the bottom of the chart, running across it, namely; Waffen SS - Allgemeine SS- S.D. and Polizei. To what do they pertain?

CAPTAIN TUBRIDY: At this time, do you object to the introduction of the chart?

COLONEL BROOKHART: I would like this information.

CAPTAIN TUBRIDY: In cross examination, Colonel Brookhart, you may examine the witness.

COLONEL BROOKHART: One matter of correction is explained, I believe it

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better to have the other explanation before the chart is admitted as evidence. To what do the letters appearing in capital letters on the bottom of the chart pertain?

CAPTAIN TURRIDY: Witness, will you explain what the meaning of the writing at the foot of these various columns pertains to, they are: Waffen SS, Allgemeine SS, S.D. and Polizei. Why were they placed where they are?

THE WITNESS: The SS included three entirely separate formations. The Waffen SS represented in the first column; the units of the General SS are given in the second column. The third organization - the S.D. is next. These are all completely independent, but they all come under the brackets of the Reich SS at the top. Then we have the German Police and that is why the word Police is written at the bottom. That is the explanation.

CROSS EXAMINATION

BY COLONEL GRIFFITH-JONES:

Q Is the S.D. a separate organization from the SS, or a separate department of the general organization?

A As I have said before, these three gradually developed from what had been a unified organization - the SS, but gradually assumed complete independence. At least that is true of the S.D.

Q I understand that. Would I be right in saying that although they assumed independence, they remained as an independent part of the general same organization, the SS?

A Yes.

Q In the organization's book of the National Socialist Party, they are all treated together under the heading Deutschland SSD. For the record, that is PS 2640 - U.S. 323.

Do you know that the same applies to a book by Guenter D'Alquen, entitled the SS History Mission and Organization, published in 1944. Was that an official history of the SS?

A I don't know the book. I do not believe it was an official document, as it was never received through official channels.

Q Do you know Guenter D'Alquen?

A Yes, I know him.

Q Did he have sufficient knowledge to write a history of the SS?

A I know D'Alquen personally only from a visit which he paid to the

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organization - the division in the field. I don't know what his knowledge of the SS was, but I do know one figure which appears which is not correct.

Q I don't want to go into a detailed statement of the possible errors in the book. I want to ask you, do you know if that book was written on the instructions of Himmler himself?

A No.

Q Do you know of a statement entitled "The National Political Cross for the Armed Forces" written by Himmler himself and published in 1937 in which the S.D. is treated as a part of the SS?

A I don't know that book, but I consider it possible.

Q For the record, the book by Guenther D'Alquen is PS 2284 - US 438 and the book paragraphed by Himmler is Document 1992-A, US 439.

It is a fact, is it not that the S.D. and SS worked in the closest cooperation with one another?

A The question cannot be answered without considering the general structure of the SS; the Waffen SS, the Allgemeine SS and S.D.

Q Do you know of the Einsatzkommando?

A Yes.

Q Did you know of the tasks they were carrying out?

A Yes.

Q Particularly in the occupied territory of Europe?

A Yes.

Q In a report of the action group of the Einsatzkommando, dated January 31, 1942 - L 180 - US 276 at page 14 of the English translation, there are wet out the personnel who have been taking part in the operations of that Commando up to the 15th of August, 1941. This is included in the total structure, the Waffen SS, 340; the Security Service SD 35; State Police Gestapo 89 and Criminal Police 141. Do you still say that the S.D. and S.S. and the Waffen SS were not working in close cooperation?

A Yes. I know that the Waffen SS, the SD, the Criminal Police and the Gestapo are included in this, but nevertheless what I say is true. The Einsatzkommandos of the Security Police of the S.D. and infinitely small units of the Waffen SS were assigned to them by Himmler's orders. Four Einsatzkommandos appeared here, but the number of Waffen SS assigned,

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I do not know, however, the detail was very slight. This was an activity which had nothing to do with the general task of the Waffen SS. We ourselves did not know that members of the Waffen SS were participating in the Einsatzkommando.

Q Very well, that was in 1941.

A Do you remember the demonstration against the Jews in November of 1938?

A Yes.

Q Let me read to you a few lines of Heydrich's order of November 10, 1938. It is PS 3051, U.S. 240, Page 2 of the English translation and has reference to measures against the Jews that were going to be undertaken that night. The order is addressed: To all Headquarters and Stations of the State Police and to all Districts and Sub-districts of the SD. Paragraph four of this document reads as follows:

"The direction of the measures of the Security Police concerning the demonstrations against Jews is vested with the organs of the State Police, inasmuch as the inspectors of the Security Police are not issuing their own orders. In order to carry out the measures of the Security Police, officials of the Criminal Police as well as members of the SD of the "Verfuegungstruppe, the Allgemeine SS may be used.

Do you realize that that was not an order concerning a few men? It was an order concerning the whole of the Verfuegungstrupper, the Allgemeine SS and the S.D. throughout the length and breath of Germany on the night of November 10, 1938. Do you realize that?

A Yes.

Q Do you still say that the SS and the S.D. were not working in the closest cooperation?

A Yes, and for this reason. This order was purely through a venture of the Superior Police and would explain the connection of the Verfuegungstruppe, the Allgemeine SS and the S.D. playing a role here. This must, in my opinion, be base on an expressed order from Himmler. Heydrich had not opportunity to press the Verfuegungstruppe or the General SS into this service - there must have been a direct order from Himmler.

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Q That is all.

BY COLONEL SMIRNOV:

Q The witness served in the main office of the SS?

A I was personally a subordinate in the main office of the SS Court. I received instructions from the divisional commander.

Q Will you tell of the competency of the SS Courts?

A The SS Courts were competent for all members of the Waffen SS, they were also competent for all police members and special service as the law states. The General SS on the other hand was not under the Court Marshall. It was purely Court Marshall's as it exists in the Wehrmacht. The same laws were in effect as in the Wehrmacht.

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Q There were eighteen courts. Now tell me the functions of these court

A Yes. There were a little more than eighteen courts.

Q Mention is made of the eighteen administrations of these courts.

A I don't know what is meant.

Q Do you know that during the war the jurisdiction of the SS Courts wa extended to all organizations, to the Police Officers and even to the Hitler Youths?

A It is true that the jurisdiction was extended, decrees that from a c tan time on placed the whole police in action. I don't remember what the tim was. I consider it impossible that the Hitler Youth was under the SS Courts It is possible that Hitler Youths employed as auxiliary police might be unde the jurisdiction of the SS. That would be possible, bot I don't know that.

Q If a member of the SD. Committed one offence, he was also under the jurisdict on of the SS and Police Courts.

A Yes.

Q Generally speaking of the SD. you said its second task was to coordi in the sense of the SS. What did you mean by that?

A I did not say it was a second task of the SD, but a second meaning f the term SD. The SD. includes members of the SS, the Criminal Police and the Gestapo and I spoke of the SD. as an information section.. As in the order o. policy, the men who belonged to the SS. the members of the Security Pol ce. SD. an the Gestapo were coordinated in the SD. office.

Q Did the SD have a special insignia?

A All members of the Criminal Police, the Gestapo and SD. imformation ganization wore the insignia of the SD.

Q This emphasized the fact that the SD. included the members of the th organizations, the Criminal Police, the Gestapo and the SD. inasmuch as they wore the same insignia.

A No, not all members of the Criminal Police and Gestapo wore the insi only the SS members from this territory.

Q This organization of the Reichsfuehrer SS had a relative character?

A It is hard to distinguish between these organization. but there is a distinction between them as I said before.

Q Do you know the composition of the special commanders for [illegible]

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branches. What persons made up those special commands the Sonderkammando?

A I don't know what the term Sonderkammondo means.

Q Special details were set up for the destruction of people at individual places and towns.

A This is the first time I have heard it and I don't know what it mean

Q No more questions.

BY LT. COLONEL BROOKHART:

Q Were you ever a member of the SD.?

A No.

RE DIRECT EXAMINATION

BY DR. PELCKMANN:

Q What would you call Guenther D'Alquen, a propagandist, a historian or a statistican?

A His task was that of a propagandist. I cannot imagine he had the stu

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in him to be a historian.

Q. What about a statistician?

A. I said that I did not know him well enought to judge his knowledge. I don't believe that was ever his task.

Q. Was he employed by Himmler to spread ideas for the S.D.?

A. I cannot say - I don't know.

Q. That is all.

(The Commission adjourned at 1700 hours.)

The foregoing is a true and correct transcript of the testimony of DR. NORBERT POHL, taken on 20 May 1946.

Rose W. Cook
Reporter

Charles Gallagher
Reporter

Alice Meehan
Reporter

CERTIFIED TO:

Joseph F. Tubridy
Commissioner

I. Rasumov
Commissioner